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JOSEPH MARCUS SILVA
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSEPH MARCUS SILVA,

15 Defendant.
16

Case No. 1:23-cr-00163-JLT-SKO

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER**

Date: March 20, 2024

Time: 1:00 p.m.

Judge: Hon. Sheila K. Oberto

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorneys Karen Escobar, counsel for plaintiff, and Assistant
19 Federal Defender Reed Grantham, counsel for Joseph Silva, that the status conference currently
20 scheduled for November 15, 2023, at 1:00 p.m. may be continued to March 20, 2024, at 1:00
21 p.m.

22 An Indictment issued in this case on August 17, 2023. *See* Dkt. #1. Mr. Silva made his
23 initial appearance in this matter on August 22, 2023. *See* Dkt. #7. On August 25, 2023, the
24 matter was set for a first status conference to occur on November 15, 2023. *See* Dkt. #15. The
25 parties are requesting that the matter be continued for a second status conference to occur on
26 March 20, 2024.

27 The parties agree and stipulate, and request that the Court find the following. The
28 government has provided initial discovery in this matter. Additional discovery was provided on

November 1, 2023. In addition, the government conveyed an offer as of November 3, 2023. The defense is in the process of reviewing the initial discovery, conducting further investigation, and discussing the matter with his client. For these reasons, the defense requires additional time to discuss the case with his client, to conduct any further investigation and research, and to participate in any plea negotiation discussions with the government. The requested continuance will conserve time and resources for the parties and the Court. Counsel for defendant believes that failure to grant the above-requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The government does not object to the continuance.

Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of November 15, 2023, to March 20, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

Date: November 8, 2023

/s/ Karen Escobar
KAREN ESCOBAR
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

Date: November 8, 2023

/s/ Reed Grantham
REED GRANTHAM
Assistant Federal Defender
Attorney for Defendant
JOSEPH SILVA

ORDER

IT IS SO ORDERED. The time period to March 20, 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i), (ii) and (iv) because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. The status conference currently scheduled for November 15, 2023, at 1:00 p.m. is hereby continued to March 20, 2024, at 1:00 p.m.

Date: 11/8/2023

Sheila K. Oberto

Hon. Sheila K. Oberto
United States Magistrate Judge